

## **Restrictions on the contest of elections**

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HB 1939 by Hernandez/Carriker

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DIGEST:	HB 1939 would have restricted election contests in a primary or runoff primary election. A candidate would have been able to contest an election only if the candidate's margin of defeat was less than 10 percent of the total vote, the candidate received enough votes to be entitled to a place on a runoff primary election, or there were fewer than 1,000 votes cast for all candidates running for the office.
GOVERNOR'S REASON FOR VETO:	"This bill would prohibit the contest of an election if one candidate wins by more than 10 percent. While this might eliminate some frivolous contests, the right to ensure fair elections in this state should not be so arbitrarily limited."
RESPONSE:	Rep. Christine Hernandez, author of HB 1939, said the bill was filed because of a concern that minor candidates with no chance of winning could hold up an election with a frivolous legal challenge. The bill contained enough safeguards to ensure that genuinely unfair elections could be contested, Rep. Hernandez said.
NOTES:	HB 1939 passed the House on the Consent Calendar and was not analyzed in a <i>Daily Floor Report</i> .